IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 294 OF 2006

The State of Maharashtra .... Applicant.
V/s
Santosh Suryabhan Raut & Ors..... ... . Respondents.

Office Notes, Office Memoranda of Coram, appearances, Court' sorders or directions and Registrar's orders.	Court' sor Judge' sOrders

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Dr.F.R.Shaikh, APP for the State.

CORAM:V.G. PALSHIKAR
AND
SMT.NISHITA MHATRE, JJ.

4.10.2006.

PC:

This is an application for grant of leave to appeal against the order of acquittal. According to the learned trial Judge the prosecution failed miserably even to prove the exact spot where the incident is alleged to have occurred. The learned Judge relying on decisions of this Court came to the conclusion that such failure on the part of the prosecution is vital and no conviction can be recorded in such circumstances. This position in law being undisputed there is no reason to interfere. Hence Application rejected.

4.10.06